

Serial No. 10/797,915

Page 6 of 10

Remarks

Claims 1-11 are pending in the application.

Claims 1-4, 6, 7 and 10 are rejected under 35 U.S.C. §102(b) as being anticipated by Fellman et al. U.S. Patent No. 6,246,702, hereinafter "Fellman."

Claims 5, 8 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fellman as applied to claim 1 above and further in view of Lehr et al. U.S. Patent 4,005,266, hereinafter "Lehr."

Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fellman as applied to claim 7 above, and further in view of Lundh et al. U.S. Patent 6,373,834, hereinafter "Lundh."

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better conforms to the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., simply to avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, because a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims

Serial No. 10/797,915

Page 7 of 10

has been changed. This is true whether a dependent claim has been rewritten to include expressly the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

Rejection Under 35 U.S.C. §102

Claims 1-4, 6, 7 and 10 are rejected under 35 U.S.C. §102(b) as being anticipated by Fellman. The rejection is traversed.

Anticipation requires the disclosure in a single prior art reference of each and every element of the claimed invention arranged as in the claim. The Fellman reference fails to disclose each and every element of the claimed invention, as arranged in independent claim 1.

The Fellman reference discloses apparatus and methods for minimizing or substantially eliminating unpredictable delays in networks. Specifically, the portions of the reference cited by the Examiner disclose methods of determining a value of propagation delays and using it to compensate for these delays. In one method, a master timing device measures a round trip delay between an Ethernet repeater hub and each device adapter of the network and then provides the device adapters with the corresponding estimates of the delays so the adapters can appropriately compensate for the delays. (col. 15, lines 36-49). In another method, the device adapters independently measure the propagation delays and calibrate a synchronization effect accordingly. (col. 15, lines 50-54). In yet another method, a specialized Ethernet repeater hub measures the time offset between a master clock and each clock of slave devices during a sync calibration cycle at system initialization and sends a corresponding values to the slave devices. (col. 15, line 55 –col. 16, line 7). As with the previously discussed methods, the time offset indicates a propagation delay. In sum, each of the methods discussed by the relevant portions of the Fellman reference is concerned with the calculation of the time offset, which is an indication of the propagation delay (trip delay).

However, the Fellman reference does not teach or suggest at least:

597432-1

Serial No. 10/797,915

Page 8 of 10

“determining a respective offset between the master clock and the clocks of each of said other terminals and offsetting the clocks of each of said other terminals by an amount proportional to said determined respective offset to synchronize the clocks of each of said other terminals to said master clock”

as recited in Applicants' independent claim 1.

This step has nothing to do with determining the propagation delay (trip delay) or using it to offset the terminals' clocks as these are different steps of Applicants' claim 1. During this step, for example, phase and frequency offset between the master clock of the master terminal and the clocks of each of the slave terminals are determined and used to synchronize the clocks of the slave terminals and the master terminal. (See e.g. para [0028]). The portions of the Fellman reference cited by examiner do not disclose determining such offset values or using them for synchronizing clocks of the network terminals, and thus fail to disclose each and every element of the Applicants' claimed invention, as arranged in independent claim 1.

Accordingly, independent claim 1 is not anticipated by Fellman and is patentable under 35 U.S.C. §102. Independent claim 7 recites relevant limitations similar to those recited in independent claim 1, and thus, for at least for the same reasons as discussed above, this independent claim also is not anticipated by Fellman and is patentable under 35 U.S.C. §102.

Because all of the dependent claims depending from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Fellman.

Therefore, Applicants' claims 1-4, 6, 7 and 10 are allowable over Fellman under 35 U.S.C. §102. The Examiner is respectfully requested to withdraw the rejection.

#### **Rejection Under 35 U.S.C. §103(a)**

Claims 5, 8 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fellman as applied to claim 1 above and further in view of Lehr. Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fellman as applied to claim 7 above, and further in view of Lundh. The rejections are traversed.

Serial No. 10/797,915

Page 9 of 10

Each of these grounds of rejection applies only to dependent claims, and each is predicated on the validity of the rejection under 35 U.S.C. §102 given Fellman. Because the rejection under 35 U.S.C. §102 given Fellman has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that the additional references supply that which is missing from Fellman to render the independent claims anticipated, these grounds of rejection cannot be maintained.

Therefore, Applicants' claims 5, 8, and 9 are allowable over Fellman in view of Lehr under 35 U.S.C. §103(a) and claim 11 is allowable over Fellman in view of Lundh. The Examiner is respectfully requested to withdraw the rejection.

597432-1

Serial No. 10/797,915

Page 10 of 10

**Conclusion**

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

Dated: 10/29/07



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